



**Agenda Item Number: 2005-1-6E**

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** January 11, 2005

**Department:** Public Works Division    **Staff Contact:** Tim West, Public Works Deputy County Manager

**TITLE:** Signalization and Lighting Agreements

**ACTION:** Motion to approve:

1. The Signalization and Lighting Agreement among the County, the New Mexico Department of Transportation, and Wal-Mart Stores East, Limited Partnership for the construction, operation, and maintenance of traffic improvements at NM 500 and Loris Road SW.
2. The Signalization and Lighting Agreement between the County and Wal-Mart Stores East, Limited Partnership for the construction, operation, and maintenance for traffic improvements of NM 500 and Loris Road SW.
3. Approve Financial Resolution **FR -2005** budget increase in the amount of \$20,000.

### **SUMMARY:**

Traffic impact anticipated from the Wal-Mart Store development located at Coors SW and Rio Bravo Boulevard has warranted the placement of a traffic signal and street lighting at the intersection of Loris Road and Rio Bravo Boulevard SW to relieve traffic congestion and promote traffic safety. The New Mexico Department of Transportation (NMDOT) has asked the County to operate and maintain the intersection improvements because the State does not have the local expertise to perform these functions. It is the State's practice to turn over the operation and maintenance of signal and lighting improvements to the local government; this intersection is within the unincorporated area of the County.

The Developer will pay all costs for the design and construction of the improvements, which are subject to approval from both the County and NMDOT. Annual electric and telephonic operational expense of the signal and street lighting is approximately \$3,000. Staff negotiated with the developer to offset the operational expense of the traffic improvements; the developer has agreed to a one-time payment of \$20,000 to the County.

### **ATTACHMENTS:**

1. Signalization and Lighting Agreement ( 4 originals)
2. Signalization and Lighting Agreement between County and Developer (3 originals)
3. Financial Resolution **FR -2005**

## **FISCAL IMPACT**

We do not anticipate any fiscal impact during the current Fiscal Year. Future operation and maintenance costs will be incorporated into the Operations and Maintenance Department operating budget and the funds will be consumed at a rate of approximately \$3,000 per year over the subsequent six to seven years.

## **STAFF ANALYSIS SUMMARY**

### **COUNTY MANAGER**

Traffic at the intersection of Loris Road and Rio Bravo Boulevard is expected to increase significantly with the coming of the Wal-Mart development. The developer will fund construction of the improvements and contribute \$20,000 toward operational costs. If approved, County Public Works will assume the responsibility of operating and maintaining the signal within the current resources of labor and equipment. I recommend Board approval. TL 1/4/05

### **DEPUTY COUNTY MANAGER FOR PUBLIC WORKS**

Installation of the traffic signal is warranted to enhance traffic safety and traffic flow. The State does not have local resources i.e. labor, equipment, and expertise to operate and maintain the signal on the State's roadway and has requested the County to assume this responsibility. The one time payment by the developer to offset operating and maintenance expense provides sufficient funding for a minimal period of at least 6 years for electric and telephonic expense. The sign maintenance will be added to those the County currently operates without the need to increase field staffing. I recommend approval. TW 12/19/04

### **LEGAL**

Agreement requires Wal-Mart to construct the signal and turns over maintenance responsibility to County. County obtains reimbursement of \$20,000 from Wal-Mart for maintenance. Approved as to form only. Deborah S. Seligman, Legal 12/28/04

### **FINANCE**

#### **Budget**

No fiscal impact anticipated by department for fiscal year 2004-2005. Revenues of \$20,000 are expected to be received by the County in fiscal year 2005-2006 and annual expenditures for electric and telephonic operational costs of the signal and street lighting of \$3,000 per year is anticipated over the next six to seven years. Total expenditures of \$20,000 are requested to be budgeted this fiscal year with the attached financial resolution and will be carried over annually until exhausted. Maria Zuniga, Financial Projects Coordinator 12/21/04

#### **Purchasing**

No comment necessary. B. Henderson, Senior Buyer 12/20/04

#### **Contracts**

CCN number will be issued upon execution of agreement. B. Henderson, Senior Buyer 12/20/04

#### **Risk Management**

As between the Department and the Public Entity, neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this Agreement. David A. Baca, Risk Management 12/20/04